

S732. Misbranding of Benetol Suppositories. U. S. * * * v. 24 Boxes of Benetol Suppositories. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11305. I. S. No. 2659-r. S. No. W-491.)

On September 24, 1919, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 24 boxes of Benetol Suppositories, remaining in the original unbroken packages, at San Francisco, Calif., alleging that the article had been shipped by the Benetol Co., Minneapolis, Minn., on or about June 16, and July 23, 1919, and transported from the State of Minnesota into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the suppositories consisted essentially of alpha- and beta-naphthol, boric acid, and traces of phenol and menthol, in a base of cacao butter.

It was alleged in substance in the libel that the article was misbranded in that it was labeled in part on the box and in the booklet as follows, (box) "Benetol Suppositories for women * * * for the treatment of the special diseases of women * * * As a general disinfectant and local tonic * * * for the treatment of leucorrhea (whites), vaginitis, vulvitis, cervicitis, endometritis, gonorrhea and all diseases of the vagina and for inflammation or irritation of the cervix (mouth of the womb) * * *," (booklet) "* * * diseases peculiar to women * * * treatment of the sexual diseases * * *," which statements, regarding the curative and therapeutic effects, were false and fraudulent, as the article contained no ingredient or combination of ingredients capable of producing the effects claimed.

On December 17, 1919, the Benetol Co., Minneapolis, Minn., claimant, having consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$1,000, in conformity with section 10 of the act.

E. D. BALL, *Acting Secretary of Agriculture.*

S733. Misbranding of Gonosan. U. S. * * * v. 1½ Dozen 40-Capsule Packages and 3 Dozen 25-Capsule Packages of Gonosan. Consent decree of condemnation and forfeiture. Product released on bond. (F. & D. No. 11312. I. S. No. 17050-r. S. No. E-1708.)

On October 9, 1919, the United States attorney for the District of Porto Rico, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 1½ dozen 40-capsule packages and 3 dozen 25-capsule packages of Gonosan, remaining in the original unbroken packages at Ponce, P. R., alleging that the article had been offered for sale and a quantity sold in the Island of Porto Rico on July 23, 1919, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part, "Gonosan—Kava-Santal 'Riedel' * * * Riedel & Co., Inc., New York."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the contents of the capsules consisted largely of saantal oil. (A test for kava extractives was inconclusive.)

Misbranding of the article was alleged in substance in the libel for the reason that the following statements, regarding the curative or therapeutic effect, were false and fraudulent, as the article contained no ingredient or combination